

REMARKS

Reconsideration of all grounds of objection and rejection, and allowance of all pending claims are respectfully requested in light of the above amendment and the following remarks. Claims 1-19, as shown above, remain pending herein.

Summary of the Objections and Rejections:

- (1) Claims 1 and 3 are objected to for containing minor informalities.
- (2) Claims 1-19 stand rejected under 35 U.S.C. §102 (b) by Hyde-Thomson (U.S. 5,717,742).

Applicants Traversal:

- (1) Applicants have amended claims 1 and 3 to overcome the objections to the minor informalities. In addition, the phrase "adapted for" has been substituted for "capable of" throughout the recitation of several of the above-amended claims.
- (2) With regard to the rejection of claims 1-19 under 35 U.S.C. §102(b), Applicants respectfully submit that Hyde-Thomson fails to disclose or suggest that a caller, who is attempting to contact a user of a mobile telephone system, is switched by a mobile switching center (MSC) of the wireless telephone network to a voice mail system after the MSC has determined that the user of the mobile telephone system is not answering the caller. The user of the mobile telephone may be out of range, have the telephone powered off, or chooses to ignore the ringing (or is unable to answer the phone, for example, could be driving an automobile in a jurisdiction that does not permit the driver to answer a telephone call without a hands-free communication unit).

After being switched to the voice mail system by the MSC, the user can leave one of a voice message or a text message to the mobile telephone user. The user's mobile telephone number is then correlated with a previously registered E-mail address, and the message is then transmitted to the mail

server that handles the e-mail addressed associated with the mobile telephone number of the user.

Thus, it is respectfully submitted that the reference fails to disclose, *inter alia*, that when an SMS function is set in the mobile phone, the mobile phone generates a beeping tone to inform the user that a message has been received at the voice mail system, and when the SMS function is not set in the mobile phone, it is determined whether an E-mail notification function is set and then the E-mail notification function is performed.

Applicants respectfully submit that both instant claims 1 and 3 have both been amended to recite the above-mentioned operation. For example, instant claim 3 recites in part the step of:

storing a voice message from a caller received at the voice mail system after a mobile switching center (MSC) has determined that the mobile telephone was not answering the caller, wherein the caller is forwarded to a voice mail system via the (MSC) to record the voice message.

Applicants respectfully submit that Hyde-Thomson completely fails to disclose the above-recitation of instant claim 3, nor would have such a recitation been obvious to a person of ordinary skill in the art. For at least the believed patentability of instant claims 1 and 3, it is respectfully submitted that none of the instant claims are anticipated by, or would have been obvious to a person of ordinary skill in the art with knowledge of Hyde-Thomson at the time of invention. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all grounds of object and rejection of the instant claims have been overcome. A Notice of Allowance is respectfully requested.

Should the Examiner deem that there are any issues which may be best resolved by telephone, please contact Applicant's undersigned representative at the number listed below. If there are any fees due and owing, please charge Applicants Deposit Account on file 502-507.

Respectfully submitted,



Steve Cha
Attorney for Applicant
Registration No. 44,069

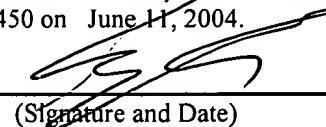
Date: June 14, 2004

CHA & REITER
210 Route 4 East, #103
Paramus, New Jersey 07652
(201) 226-9245
(201) 226-9246 (Fax)

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the COMMISSIONER FOR PATENTS, Mail Stop Non-Fee Amendment, P.O. Box 1450, Alexandria, Virginia 22313-1450 on June 11, 2004.

Steven Cha, Reg. No. 44,069
(Name of Registered Representative)



(Signature and Date)